INVESTIGATIVE SUMMARY
USE OF FORCE
FRACTURED ARM
IAB FO2062107
402-06013-0540-145

On Friday, April 26, 2002, Sergeants Jerry Greene and Joe Gooden of the Internal Affairs Bureau (IAB) were notified of a force incident involving Temple Station personnel following a brief foot pursuit. The suspect suffered a fractured left arm while being handcuffed.

INVOLVED PERSONNEL:

[redacted], Deputy, #[redacted]
Temple Station
Field Operations Region I

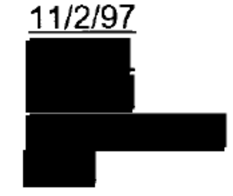
PADDOCK, Ralf, Deputy, #[redacted]
Temple Station
Field Operations Region I

[redacted], Deputy, #[redacted]
Temple Station
Field Operations Region I

EMPLOYEE WORK HISTORY:

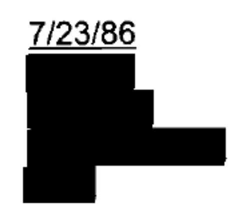
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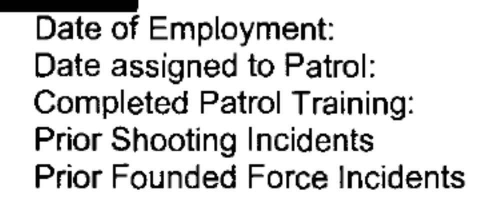
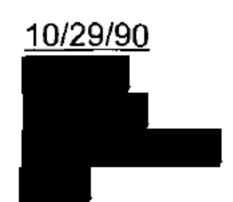
Date of Employment:	11/2/97
Date assigned to Patrol:	[redacted]
Completed Patrol Training:	[redacted]
Prior Shooting Incidents	[redacted]
Prior Founded Force Incidents	[redacted]



PADDOCK, Ralf

Date of Employment:	7/23/86
Date assigned to Patrol:	[redacted]
Completed Patrol Training:	[redacted]
Prior Shooting Incidents	[redacted]
Prior Founded Force Incidents	[redacted]



[redacted]

Date of Employment: 10/29/90
Date assigned to Patrol: [redacted]
Completed Patrol Training: [redacted]
Prior Shooting Incidents [redacted]
Prior Founded Force Incidents [redacted]

SUSPECT:

Baker, Edmond Laroy MB/27, Booking #7262443
[redacted]

WITNESSES:



[redacted]
Khilfeh, Yaser, MD

INJURIES:

Suspect Edmond Baker suffered a comminuted fracture of his left humerus.

Deputy [redacted] suffered an abrasion on his left middle finger and experienced stiffness and pain in his lower back, upper back and neck.

Deputy Ralf Paddock complained of pain in his left hand / left wrist area.

PHYSICAL EVIDENCE:

None

INVESTIGATORS' OBSERVATIONS:

Investigators observed the suspect's injuries as depicted in Exhibit E.

WEAPONS USED BY DEPUTY PERSONNEL:

None

WEAPONS USED BY SUSPECT:

None

PROPERTY DAMAGE:

None

CRIMINAL INVESTIGATOR/CHARGES FILED:

INVESTIGATOR'S NAME:	Deputy David Bly, #[redacted]
COURT:	Santa Anita Court
CHARGES:	One felony count of 69PC and one misdemeanor count of 12500 VC.

LIGHTING AND WEATHER CONDITIONS:

Daylight and the weather was mild.

INVOLVED EMPLOYEES' STATEMENTS:

Deputy [redacted] told IAB investigators that on April 26, 2002, he was assigned to Unit 58T1, PM shift. At approximately 1430 hours he was monitoring traffic at the school crossing at Buena Vista Street and Kellwil Way when he observed a gray vehicle traveling northbound at an estimated speed of 45 mph and changing lanes to pass slower vehicles. [redacted] then began following the vehicle, attempting to catch up with it as it proceeded northbound Buena Vista Street to eastbound Duarte Road and then southbound onto Cinco Robles Drive where it turned into a driveway on the east side of the street at the location. Distance from the initial observation until the vehicle stopped was about one-half to three-quarters of a mile. [redacted] did not use the radio car's red lights or siren as he did not want the suspect to run from him.

Deputy [redacted] said that as he followed the vehicle into the driveway, he observed the suspect, who was wearing a very bright yellow t-shirt, exit his car and run. [redacted] yelled at him to stop, but he continued running through a chainlink fence in front of the rear house. The suspect ran along the north side of the residence and into the backyard. As [redacted] reached the northeast corner of the house, he requested assistance and advised

SCC of his location. He then observed the suspect force the rear door open, completely knocking it off its hinges. The suspect entered the residence at which time [redacted] could hear someone inside screaming. As he was chasing the suspect, [redacted] thought he might have a grand theft auto suspect.

Deputy [redacted] stated that as he got to the rear door, he could see Suspect Baker opening the front door and running outside. [redacted] ran through the house and exited the front door. [redacted] caught up with the suspect at the front gate as he was attempting to open it. [redacted] attempted to grab the suspect; the suspect turned around, grabbed [redacted] arm and pushed him away. Baker and [redacted] then pushed and shoved each other for a moment, with the suspect falling against a car and [redacted] falling against the fence, bending a fence post.

[redacted] related that Suspect Baker jumped up and started running westbound on the driveway toward the street and then northbound, then eastbound, around the front house. [redacted] ran after Suspect Baker and again requested assistance via SCC and advised of his location. [redacted] caught up with the suspect at the fence and they again shoved each other. The suspect then ran back to his vehicle, entered and locked the door.

Deputy [redacted] said he told the suspect that there was no place for him to go as his radio car was behind him. Suspect Baker said, "Okay, okay. I give up." The suspect then opened his door and began to get out with his hands up. [redacted] told him to put his hands on top of the vehicle. Instead of complying, the suspect ran toward the rear house. [redacted] ran after him. As the suspect reached the front door, he tripped over the threshold and fell forward. [redacted] fell on top of him, using his body weight to hold him down. [redacted] then grabbed his left hand, but the suspect's right hand remained under his body.

Deputy [redacted] stated that he then communicated with SCC again that he was involved in a fight. [redacted] continued to tell the suspect to relax and put his hands behind his back. Baker repeatedly said, "I give up," but [redacted] could still feel the tension in his body, as he continued to wiggle and raise his body up and kick his legs. [redacted] continued to use his body weight to hold him down.

Deputy [redacted] said that after a few minutes, assisting units arrived. Deputy Paddock grasped the suspect's left arm while Deputy [redacted] grabbed Baker's right arm. Someone told the suspect to relax as he was still moving his body. [redacted] was finally able to bring the suspect's right arm behind his back. Paddock still had the suspect's left arm and was bringing it behind his back when he heard a "pop." [redacted] immediately felt Baker's body relax and saw his head fall forward. Paddock then said, "I think his arm's broke."

[redacted] said that he then stood up and observed a baggie of marijuana near Baker's body. The baggie was retrieved by Deputy [redacted] and given to [redacted] Deputy [redacted] then went outside to catch his breath as he was exhausted.

[redacted] said he never had his weapon drawn as he did not have a clear shot at the

suspect, nor was there a need for the weapon. He had his OC spray and baton with him. He didn't think he could have used his OC spray while the suspect was on the ground as it would have affected him as well. He didn't believe his baton would have been effective at any time because they were either too far away or too close together.

Deputy [redacted] said he reported the use of force to Sergeant Allen when he arrived at the scene.

Deputy [redacted] said he received an abrasion on his left middle finger and was experiencing stiffness and pain in his lower back, upper back and neck.

Deputy Ralf Paddock told IAB investigators that on April 26, 2002, he was assigned to Unit 58E, a special assignment unit out of Duarte Sub-station. At approximately 1430 hours he heard a request for assistance from Deputy [redacted] He proceeded from the sub-station with Deputy [redacted] behind him.

Deputy Paddock said that as he arrived at the location, he noticed that Deputy [redacted] vehicle was parked in the driveway. He exited his radio car and walked toward [redacted] vehicle which was parked in the driveway. He then heard [redacted] yell, "I'm in here." Paddock went to the rear residence and saw the suspect lying on his stomach and moving as if he was trying to get up. [redacted] was on top of the suspect, holding him on the floor.

Deputy Paddock said he entered the residence, reached down and grabbed the suspect's left wrist which was down by his side; his left hand was underneath him and out of view. The suspect resisted and attempted to pull his hand and arm back down, away from Paddock as he was attempting to move the suspect's hand behind his back. Deputy [redacted] at this time was trying to control the suspect's right hand. [redacted] gave the suspect orders to give him his arm.

Paddock said he then grabbed the upper part of the suspect's left arm with his left hand and the suspect's left wrist with his right hand, with his left leg placed against the suspect's arm, holding it in place, and began moving it up and behind his back into a handcuffing position. As the suspect's hand reached the small of his back, Paddock heard a "pop." The suspect immediately stopped struggling and went limp. Paddock then told the deputies that he thought the suspect's arm might be broken. Paddock then held the suspect's arm still where it was and told the suspect not to move. Paddock said he was shocked when he heard the suspect's arm break, because he was utilizing a simple control hold as he has used many times in the past. He was not utilizing any undue pressure.

Deputy Paddock related that Deputy [redacted] requested paramedics and he maintained control of the suspect's arm until their arrival about four or five minutes later.

Deputy Paddock said he reported the use of force to Sergeant Bobo at the scene, approximately five minutes after the incident.

Deputy Paddock said he was experiencing pain in his left hand / left wrist area.

Deputy Brian [redacted] told IAB investigators that on April 26, 2002, he was assigned to Unit 58B2, Duarte Sub-station, special projects deputy. At approximately 1430 hours, he heard a request for assistance broadcasted by Deputy [redacted] indicating that he was involved in a fight. [redacted] immediately left Duarte Sub-station and proceeded to the location.

Deputy [redacted] said he arrived at the location behind Deputy Paddock. He did not see [redacted] radio car at first, but did observe Paddock exit his vehicle and run eastbound down a driveway. [redacted] followed him on foot and located Deputy [redacted] lying inside the doorway of the rear house, directly on top of the suspect.

[redacted] said Deputy Paddock entered the residence and told Suspect Baker to relax his arms, which were under his chest. Paddock then grasped the suspect's left arm and was able to get it out from underneath his body and behind his back into a rear arm control hold. At that point, [redacted] reached over the top of Deputy [redacted] and the suspect and grabbed Baker's right arm. As he was moving the suspect's right arm from underneath his body, [redacted] heard a "pop." Everyone stopped moving and Deputy Paddock said, "Everybody hold it. I think I broke his arm." [redacted] immediately advised SCC that the situation was Code-4 and requested the fire department.

Deputy [redacted] said Suspect Baker did not say anything as they attempted to handcuff him and he did not aggressively resist; he just refused to move his arms from under his body or follow any of the deputies' directions.

[redacted] said he reported the use of force to Sergeant Allen.

WITNESSES' STATEMENTS:

[redacted] told IAB investigators that on April 26, 2002, she was sitting in the living room of her residence, [redacted], talking with [redacted] and [redacted] when she noticed someone wearing yellow run by her front window. She stood up to go to the front door when she heard knocking at the back door. The knocking grew louder and then the back door gave way, falling down on the floor.

Witness [redacted] said Suspect Edmond Baker, who was wearing a yellow shirt and is an acquaintance of hers, ran through her kitchen and living room toward the front door. She asked him what was happening. Baker said something, but she could not understand his response. Deputy [redacted] then entered the rear door about five seconds later as the suspect was unlocking the front door. Baker unlocked the front door and ran outside. [redacted] ran out the front door after the suspect. Witness [redacted] said she thought the deputy may have caught up with the suspect at the front door, but she wasn't sure.

Witness [redacted] stated that after Baker exited the house, he stopped at the front gate and appeared to be having trouble getting past the fence as if a piece of his clothing may have gotten caught on the fencing. Deputy [redacted] caught up with Suspect Baker and they

they "scuffled a little bit." She explained that the deputy was trying to grab the suspect and hold on to him and he was pulling away from the deputy. They then fell on to a vehicle that was parked near the gate.

[redacted] said she did not remember anything else other than the fact that the suspect and Deputy [redacted] ended up back at her front door, just inside her residence, sometime later. The suspect attempted to shut the front door on [redacted] but he forced it open and attempted to contain the suspect. They both fell to the floor, with [redacted] on top of the suspect. It appeared they both were exhausted.

Witness [redacted] said the suspect had his arms extended and said, "Let me get up. I promise I won't run." Suspect Baker then said he couldn't breathe. Assisting deputies arrived and tried to handcuff the suspect but, for some reason they couldn't. She didn't recall the suspect or the deputies struggling with each other or saying anything to each other. At that point, [redacted] and her friends went out the back door and waited outside. She did not see any deputy punch or hit the suspect.

[redacted] told IAB investigators that on April 26, 2002, she was sitting inside the residence at [redacted], when she heard a vehicle drive up. She looked out the window and saw a yellow "flash" (suspect wearing a yellow shirt) go by. She then observed a deputy run by the window. She then heard someone pounding hard on the back door. The next thing she knew, the entire back door came down.

Witness [redacted] said the suspect and deputy then ran out the front door. She got up and shut the door. A minute or two later, the suspect returned to the front door, came inside and collapsed. The deputy followed him inside and just laid down on top of him. She heard Suspect Baker say, "Come on, please. I promise. If you let me up, you can handcuff me."

[redacted] said the deputy remained on top of the suspect, holding him, until other deputies arrived. When the other deputies entered the location, [redacted] and her friends went to the back of the house to stay out of the way.

[redacted] said Deputy [redacted] never hit or punched the suspect who she described as resisting and attempting to get up and away from [redacted] hold. She added that the deputy did an excellent job. She did not see any contact the other deputies had with the suspect.

[redacted] told IAB investigators that on April 26, 2002, he was inside the residence at [redacted], visiting friends when he saw a "flash" of yellow out the window. The next thing he heard was the rear door being kicked in. The suspect then ran through the house and out the front door with a sheriff's deputy following him. He looked out the front door and saw the suspect and deputy struggling near the gate in front of the house. The deputy tried to grab the suspect, but he was able to slip away. The suspect then ran down the driveway with the deputy chasing him.

Witness [redacted] said the suspect then ran around the front house and came out the

back gate, heading toward the rear house. The suspect then fell to the ground while the deputy was running after him. The deputy fell on top of the suspect and held him as he called for backup. Coumans then went to the backyard and did not see anything else.

Witness [redacted] said he did not observe Deputy [redacted] use any force against the suspect, other than the suspect being held down by the deputy as he was "squirming" around trying to get away.

[redacted] said he thought Deputy [redacted] did a really good job in catching up with the suspect, detaining him and waiting for backup. He felt [redacted] should be commended for his actions.

[redacted] told IAB investigators that sometime around 1400 hours, April 26, 2002, she heard the loud screeching noise of a vehicle in the street. She walked outside and observed a vehicle driving southbound on Cinco Robles Drive from Duarte Road. The vehicle then quickly turned into a driveway. The vehicle was immediately followed by a sheriff's radio car.

She said the suspect, wearing a yellow t-shirt, got out of his car and ran around in circles, at least three or four times around the front house. The deputy followed behind, chasing the suspect, and yelling, "Stop, stop."

[redacted] stated that someone opened the front door of the rear residence and two men from the rear house came outside and drove away from the location. The suspect then ran to the rear house and entered through the front door. The deputy followed the suspect inside the residence. She then heard women screaming. [redacted] then came back inside her house and called 9-1-1. She went back outside with her hand held phone and watched as several radio cars, fire department personnel and an ambulance arrived.

Witness [redacted] said she never saw the suspect and deputy fighting.

Yaser Khilfeh, MD, told IAB investigators that on April 26, 2002, he was the emergency room physician at Santa Teresita Hospital and treated Suspect Edmond Baker who was brought to the facility by ambulance.

Dr. Khilfeh said the suspect suffered a comminuted fracture of the middle and distal thirds of the left humerus, (between the shoulder and elbow) with a slight angulation and rotation of the left arm.

Dr Khilfeh said Suspect Baker was treated with morphine sulfate for his pain and a sling and splint were applied to his injured arm. The suspect was then transferred to Los Angeles County + University of Southern California Medical Center for further treatment.

Dr. Khilfeh said the type of fracture the suspect sustained could have been caused by a twisting motion or a fall. He said there would have to be heavy power applied to cause the injury. This could have been caused by the suspect resisting the deputies attempts to

handcuff him behind his back if there was sufficient force and weight applied to his arm.

SUSPECT'S STATEMENT:

Suspect Edmond Baker told IAB investigators that he was driving a vehicle and pulled into a driveway and parked. As he exited his car, he noticed a sheriff's radio car driving in behind him. Baker had an outstanding warrant, so he decided to run into the house before the deputy saw him.

Suspect Baker said he ran to the back of the rear house and started banging on the back door. He said he was so scared that he kept banging on the door until he finally broke the door down. He ran into the house and then ran out the front door. The deputy was right behind him. He then ran through the front yard of the front house, back to the side of the house, maybe twice, and then re-entered his vehicle. He was tired and just sat there trying to figure out what to do.

Suspect Baker said he then got out of his car and again ran to the rear house. As he reached the front door, Deputy [redacted] tackled him, just as he was falling from exhaustion. They both went to the floor, with [redacted] on top of him. Baker was lying there, out of breath, and said, "Sir, I'm scared. I ran from you because I got a warrant. I don't want to go to jail." Baker said he told [redacted] to let him stretch his arms out so he could be handcuffed. He was on his stomach, both arms stretched out, with [redacted] lying on top of him.

Baker related that assisting deputies arrived and began giving him orders to put his arms behind his back, but he couldn't because there were so many deputies holding him down. At one point, a deputy hit him in the back of his head with his hand and made a comment about him running from a deputy. Deputies continued to order him to put his arms behind his back, but he still could not move as the deputies were holding his arms down. A deputy then hit him, or kicked him, or put so much pressure on his left arm, that it "popped." He did not feel any pain, but he heard the other deputy say, "You broke his arm, you broke his arm. Don't move." Baker said he did not resist the deputies in any way and denied having his arms under his body.

The suspect stated the deputies then handcuffed his right arm and held his left arm until the paramedics arrived. He was taken to the hospital and was advised that his arm was fractured.

MISCELLANEOUS SECTION:

None